

REMARKS/ARGUMENTS

Favorable consideration of this application, as presently amended, is respectfully requested.

Claims 1, 18-26, and 28-42 are pending. Claims 1, 22, 31, 32, and 37-39 are amended. Support for these amended claims is found at least in the previously presented claims. Additional support for claims 37 and 39 is found at least in Examples 2 and 3 of Table 1 at page 11 of the specification. Thus, no new subject matter is added.

Rejections -- 35 U.S.C. § 112, first paragraph

Claims 36-37, 39, and 41 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with its written description and enablement requirements. Applicants respectfully traverse this rejection particularly in view Table I of the specification and in view of amended claims 37 and 39.

With respect to claim 36, Applicants particularly direct attention to Examples 6 and 11 of Table 1, which describe first absorbent layers of ZrN and Ti having thicknesses of 12 and 4 nm, respectively. With respect to amended claims 37 and 39, Applicants also identify Examples 2 and 3, which describe a last absorbent layer having thicknesses of 5.5 nm and 3 nm, respectively. Applicants submit that these examples provide sufficient support for the ranges claimed in claims 36, 37, and 39. See, e.g., *In re Wertheim*, 191 USPQ 90, 98 (CCPA 1976) ("In the context of this invention, in light of the description of the invention as employing solids contents within the range of 25-60% along with specific embodiments of 36% and 50%, we are of the opinion that, as a factual matter, persons skilled in the art would consider processes employing a 35-60% solids content range to be part of appellants' invention and would be led by the Swiss disclosure so to conclude.") Accordingly, this rejection is overcome.

Rejection -- 35 U.S.C. § 102(b)

At item 4, the Office Action rejected claims 1, 18-26, and 29-42 under 35 U.S.C. § 102(b) as being anticipated by Demiryont (U.S. Patent No. 6,190,776). In rejecting these claims, the Office Action asserted, *inter alia*, that Demiryont discloses the sequence of layers recited in independent claim 1 and particularly, that Demiryont's first chromium and fourth chromium buffer layer allegedly correspond to the first and last absorbent layers as recited in independent claim 1. (Office Action at page 4). The Office Action also asserted that “[t]he thickness of each chromium buffer layer is from 1 nm to 5 nm.” (Id.).

Applicants submit that this rejection is overcome in view of amended independent claim 1, which no longer recites chromium. Thus, this rejection cannot be sustained because Demiryont does not disclose or suggest absorbent layers selected from the group of materials recited in amended independent claim 1.

Further, the Office Action's reliance Boire et al. (U.S. Patent No. 6,045,896) does not overcome the deficiencies of Demiryont with respect to amended claim 1.

Rejection -- 35 U.S.C. §103(a)

At item 5, the Office Action rejected claim 28 under 35 U.S.C. § 103(a) as being unpatentable over Demiryont, as applied to claim 1, and further in view of Boire et al. (U.S. Patent No. 6,045,896). This rejection should be withdrawn because Demiryont in combination with Boire does not teach or suggest the present invention.

As previously noted, Demiryont fails to disclose absorbent layers selected from the group of materials recited in amended independent claim 1. Boire's teaching does not overcome Demiryont's deficiency. Accordingly, since claim 28 depends on amended claim 1, it is allowable for the same reasons as amended claim 1.

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For the reasons discussed above, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal allowance. Therefore, a Notice of Allowance for claims 1, 18-26, and 28-42 is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicants' undersigned representative at the below listed telephone number.

Respectfully submitted,

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